Appl. No.: 10/521,490 Amdt. Dated: April 3, 2009

Reply to Office action of: March 4, 2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/521,490

Applicant : Yutaka Saitou et al

Confirmation No. : 6965

Filed : January 18, 2005

Title : PORTABLE WIRELESS PHONE

TC/A.U. : 2618

Examiner : Ping Y. Hsieh Docket No. : NGB-37395

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **RESPONSE AND ELECTION**

Sir:

This communication is filed in response to the Office action dated March 4, 2009. The one month period for responding to the Office action expires on April 4, 2009.

The Examiner has required Applicant to elect a single species for prosecution on the merits. Applicant hereby elects to proceed with claims 1, 9, 15, and 22-25 as disclosed in FIG.33 (Species VII) without traverse.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No.: NGB-37395.

Respectfully submitted,

PEARNE & GORDON LLP

By: /jeffrey j sopko/ Jeffrey J. Sopko, Reg. No. 27676

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Date: April 3, 2009